

Message Text

LIMITED OFFICIAL USE

PAGE 01 DUBLIN 01240 111727Z

42

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 L-03 IO-10 PM-03

(ISO) W

----- 023753

P R 111635Z JUL 75

FM AMEMBASSY DUBLIN

TO SECSTATE WASHDC PRIORITY 6972

INFO AMEMBASSY LONDON

AMEMBASSY BRUSSELS

LIMITED OFFICIAL USE DUBLIN 1240

PLEASEPASS TO FAA

E.O. 11652: N/A

TAGS: EAIR, EI, SF

SUBJECT: ALLEGED VIOLATION OF IRISH REGULATIONS BY US REGISTERED AIRCRAFT.

1. EMBASSY HAS BEEN CONTACTED BY IRISH CIVIL AVIATION AUTHORITIES REGARDING US REGISTERED AIRCRAFT WHICH IS CURRENTLY IN IRELAND AND ENGAGED IN AIRSHIPMENT OF CATTLE, PRINCIPALLY TO MIDDLE EAST. AIRCRAFT HAS MADE ONE TRIP TO MIDDLE EAST ALLEGEDLY WITHOUT PROPER ATC CLEARANCE AND IN VIOLATION OF ORDERS FROM IRISH CIVIL AIR AUTHORITIES NOT TO DEPART. AIRCRAFT IS CURRENTLY AT SHANNON AND IRISH AUTHORITIES ARE SEEKING TO PREVENT ITS DEPARTURE LOADED WITH ANY CARGO WHATSOEVER. ACCORDING TO AUTHORITIES, AIRCRAFT OWNER, P.M. LEASING CORPORATION OF MIAMI BEACH, ALLEGES IT HAS CONTRACTUAL ARRANGEMENT WITH A MR. MEDLAND IN IRELAND UNDER TERMS OF WHICH AIRCRAFT (SUPER CONSTELLATION, N 11 SR) WILL BE USED TO TRANSPORT MR. MEDLAND'S CATTLE TO DESTINATIONS IN MIDDLE EAST. IRISH AUTHORITIES, ON OTHER HAND, REGARD CONTRACT AS DEVICE FOR CIRCUMVENTING IRISH REGULATIONS, AND THEY ARE ATTEMPTING TO PUT PERMANENT STOP TO THE CATTLE SHIPMENT OPERATION. HOWEVER, THE AUTHORITIES ARE UNCERTAIN AS TO THE ENFORCEABILITY OF IRISH

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 DUBLIN 01240 111727Z

REGULATIONS

PARTICULARLY IN FACE OF A THREAT BY THE AIRCRAFT OWNER TO TAKE THE MATTER TO COURT.

2. THE CIVIL AIR AUTHORITIES HAVE BEEN IN TOUCH WITH THIS EMBASSY AS WELL AS THE FAA REPRESENTATIVE IN LONDON IN AN ATTEMPT TO OBTAIN ADVICE AS TO WHETHER THE AIRCRAFT AND/OR ITS CREW ARE OPERATING WITHIN THE TERMS OF US REGULATIONS. THEY ARE FRANKLY LOOKING FOR ADDITIONAL SUPPORT FOR THEIR CASE FOR STOPPING THE FLIGHTS, AND THEY WOULD WELCOME ANY EXCUSE SUCH AS A SUGGESTION OF QUESTIONABLE AIRWORTHINESS OF THE AIRCRAFT. NOTING THAT THE AIRCRAFT IS ON THE GROUND AT SHANNON, WE HAVE SUGGESTED TO THE IRISH CIVIL AIR AUTHORITIES THAT THE CASE IS WITHIN THEIR JURISDICTION AND THEY SHOULD APPLY PERTINENT LAWS AND REGULATIONS. WE HAVE OFFERED NO ADVICE AND HAVE MADE IT CLEAR WE DO NOT FEEL THAT THE USG INVOLVMENT IS APPROPRIATE.

3. DESPITE THIS, THE CIVIL AIR AUTHORITIES HAVE ASKED US AT LEAST TO SUPPLY SOME INFORMATION. THE FOLLOWING IS THE TEXT OF THEIR REQUEST WHICH THEY HAVE ASKED US TO FORWARD TO FAA IN WASHINGTON:

"P.M. LEASING, C/O BROAD AND CASSELL, 420 LINCOLN MALL, MIAMI BEACH, CLAIMED TO HAVE LEASED A CONSTELLATION AIRCRAFT, N 11 SR (L1049G) TO A MR. MEDLAND FOR MONTH OF JULY FOR SUM OF US \$10 PLUS OVC. THEY ARE CLAIMING THAT CARRIAGE OF MR. MEDLAND'S CATTLE IS THUS "OWN ACCOUNT" AND OUTSIDE THE USUAL "CARRIAGE FOR REWARD" REGULATIONS. UNDER THE ALLEGED LEASE THE CREW AND MANAGEMENT ADVICE ARE TO BE SUPPLIED BY LANZAIR LIMITED OF JERSEY AND THE "LEASE" HAS BEEN SIGNED ON BEHALF OF P.M. LEASING BY THE AIRCRAFT CAPTAIN WHO IS EMPLOYED BY LANZAIR. WOULD APPRECIATE FAA VIEWS ON COMPETENCY FROM POINT OF VIEW OF REGULATIONS, AIRWORTHINESS, ETC., OF P.M. LEASING TO ENGAGE IN THIS TYPE OF ACTIVITY VIS-A-VIS US REGULATIONS."

4. COMMENT: WE DO NOT FEEL THERE IS ANY JUSTIFICATION FOR USG INVOLVEMENT IN THIS CASE, AND WE ARE TRANSMITTING FOREGOING MESSAGE TO FAA MERELY AS A COURTESY TO THE IRISH CIVIL AIR AUTHORITIES. WE MAKE NO RECOMMENDATION FOR WASHINGTON ACTIONN, BUT WE WOULD BE WILLING TO TRANSMIT ANY INFORMATION FAA MAY LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 DUBLIN 01240 111727Z

FEEL IT APPROPRIATE TO PASS TO THE IRISH AUTHORITIES.
REND AHL

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LIVESTOCK, TRADE, CIVIL AVIATION, AIRSPACE VIOLATIONS, CONTRACTS, TRANSACTION CHECKS
Control Number: n/a
Copy: SINGLE
Draft Date: 11 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975DUBLIN01240
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750240-0832
From: DUBLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750761/aaaaccik.tel
Line Count: 109
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 23 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 APR 2003 by ShawDG>; APPROVED <24 APR 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ALLEGED VIOLATION OF IRISH REGULATIONS BY US REGISTERED AIRCRAFT.
TAGS: EAIR, EI, SF, US, XF, P M LEASING CORP, (MEDLAND)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006